

1 Abran E. Vigil, Esq.  
Nevada Bar. No. 7548  
2 Maria A. Gall, Esq.  
Nevada Bar No. 14200  
3 Lindsay C. Demaree, Esq.  
Nevada Bar No. 11949  
4 Kyle A. Ewing, Esq.  
Nevada Bar. No. 14051  
5 BALLARD SPAHR LLP  
1980 Festival Plaza Drive, Suite 900  
6 Las Vegas, Nevada 89135  
Telephone: (702) 471-7000  
7 Facsimile: (702) 471-7070  
vigila@ballardspahr.com  
8 gallm@ballardspahr.com  
demareel@ballardspahr.com  
9 ewingk@ballardspahr.com

10 *Attorneys for U.S. BANK NATIONAL ASSOCIATION, AS*  
11 *TRUSTEE, SUCCESSOR IN INTEREST TO BANK OF*  
12 *AMERICA, NATIONAL ASSOCIATION AS TRUSTEE,*  
13 *SUCCESSOR BY MERGER TO LASALLE BANK NATIONAL*  
14 *ASSOCIATION, AS TRUSTEE FOR STRUCTURED ASSET*  
15 *INVESTMENT LOAN TRUST MORTGAGE PASS-THROUGH*  
16 *CERTIFICATES, SERIES 2005-2*

14 UNITED STATES DISTRICT COURT  
15 DISTRICT OF NEVADA

16 U.S. BANK NATIONAL ASSOCIATION,  
17 AS TRUSTEE, SUCCESSOR IN  
18 INTEREST TO BANK OF AMERICA,  
19 NATIONAL ASSOCIATION AS  
20 TRUSTEE, SUCCESSOR BY MERGER  
21 TO LASALLE BANK NATIONAL  
22 ASSOCIATION, AS TRUSTEE FOR  
23 STRUCTURED ASSET INVESTMENT  
24 LOAN TRUST MORTGAGE PASS-  
25 THROUGH CERTIFICATES, SERIES  
26 2005-2,

22 Plaintiff,

23 vs.

24 SFR INVESTMENTS POOL 1, LLC, a  
25 Nevada limited liability company; SEVEN  
26 HILLS MASTER COMMUNITY  
27 ASSOCIATION, a Nevada non-profit  
corporation; EDWARD NAPIER, an  
individual; CARLA NAPIER, an individual,

28 Defendants.

Case No. 2:16-cv-01719-MMD-CWH

**STIPULATION AND ORDER TO  
DISMISS CLAIMS BETWEEN U.S.  
BANK, N.A. AS TRUSTEE AND  
SFR INVESTMENTS POOL 1, LLC  
WITH PREJUDICE**

1 SEVEN HILLS MASTER COMMUNITY  
2 ASSOCIATION, a Nevada non-profit  
corporation,

3 Third-Party Plaintiff,

4 vs.

5 NEVADA ASSOCIATION SERVICES,  
6 INC.

7 Third-Party Defendant.

8 SFR INVESTMENTS POOL 1, LLC, a  
Nevada limited liability company,

9 Counterclaimant/Cross Claimant,

10 vs.

11 U.S. BANK NATIONAL ASSOCIATION,  
12 AS TRUSTEE, SUCCESSOR IN  
INTEREST TO BANK OF AMERICA,  
13 NATIONAL ASSOCIATION AS  
TRUSTEE, SUCCESSOR BY MERGER  
14 TO LASALLE BANK NATIONAL  
ASSOCIATION, AS TRUSTEE FOR  
15 STRUCTURED ASSET INVESTMENT  
LOAN TRUST MORTGAGE PASS-  
16 THROUGH CERTIFICATES, SERIES  
2005-2; EDWARD NAPIER, an individual;  
17 CARLA NAPIER, an individual,

18 Counter-Defendant/Cross Defendants.

19 Pursuant to Local Rules LR IA 6-2 and LR 7-1, Plaintiff/Counter-Defendant  
20 U.S. Bank National Association, as Trustee, Successor in Interest to Bank of  
21 America, National Association as Trustee, Successor by Merger to Lasalle Bank  
22 National Association, as Trustee for Structured Asset Investment Loan Trust  
23 Mortgage Pass-Through Certificates, Series 2005-2 (“U.S. Bank”) and  
24 Defendant/Counterclaimant/Cross-Claimant SFR Investments Pool 1, LLC (“SFR”)  
25 (collectively, the “Parties”), through their respective attorneys, stipulate as follows:

26 1. This action concerns title to real property commonly known as 1436  
27 Via Savona Drive, Henderson, Nevada (the “Property”) following a homeowner’s  
28 association foreclosure sale conducted on July 20, 2012, with respect to the

1 Property.

2 2. As it relates to the Parties, a dispute arose regarding that certain Deed  
3 of Trust recorded against the Property in the Official Records of Clark County,  
4 Nevada as Instrument Number 20041118-0003589 (the “Deed of Trust”), and in  
5 particular, whether the Deed of Trust continues to encumber the Property.

6 3. The Parties to this Stipulation have settled and agreed to release their  
7 respective claims, and further agreed that the claims between them, including the  
8 Complaint and Counterclaim, shall be DISMISSED with prejudice.

9 4. As neither Edward Napier nor Carla Napier (together, the “Napiers”) appeared in this action, U.S. Bank hereby voluntarily dismisses its claims against  
10 them pursuant to Fed. R. Civ. P. 41(a)(1)(A)(i).

11 5. This Stipulation in no way affects SFR’s cross-claim against the  
12 Napiers or Chase’s claim against Seven Hills Master Community Association.

13 6. The Parties further stipulate and agree that a copy of this Stipulation  
14 and Order may be recorded with the Clark County Recorder;  
15  
16

17  
18 *(Remainder of Page Intentionally Left Blank)*  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

7. The Parties to this Stipulation (case number 2:16-cv-01719-MMD-CWH) shall each bear their own attorneys' fees and costs.

Dated: November \_\_, 2018

BALLARD SPAHR LLP

KIM GILBERT EBRON

By: /s/ Kyle A. Ewing  
Abran E. Vigil, Esq.  
Nevada Bar. No. 7548  
Maria A. Gall, Esq.  
Nevada Bar No. 14200  
Lindsay C. Demaree, Esq.  
Nevada Bar No. 11949  
Kyle A. Ewing, Esq.  
Nevada Bar No. 14051  
1980 Festival Plaza Drive, Suite 900  
Las Vegas, Nevada 89135

By: /s/Jacqueline A. Gilbert  
Jacqueline A. Gilbert  
Nevada Bar No. 10593  
Diana S. Ebron  
Nevada Bar No. 10580  
Karen Hanks  
Nevada Bar No. 9578  
7625 Dean Martin Dr., Suite 110  
Las Vegas, Nevada 89014

*Attorneys for U.S. BANK NATIONAL  
ASSOCIATION, AS TRUSTEE,  
SUCCESSOR IN INTEREST TO BANK  
OF AMERICA, NATIONAL  
ASSOCIATION AS TRUSTEE,  
SUCCESSOR BY MERGER TO LASALLE  
BANK NATIONAL ASSOCIATION, AS  
TRUSTEE FOR STRUCTURED ASSET  
INVESTMENT LOAN TRUST  
MORTGAGE PASS-THROUGH  
CERTIFICATES, SERIES 2005-2*

*Attorneys for SFR Investments Pool  
1, LLC*

IT IS SO ORDERED:



UNITED STATES DISTRICT JUDGE

DATED: November 21, 2018